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THE NISSAN FIRE AND MARINE
INSURANCE COMPANY, LTD., and
HITACHI DATA SYSTEMS CORP.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

THE NISSAN FIRE AND MARINE
INSURANCE COMPANY, LTD., AND
HITACHI DATA SYSTEMS CORP.,

Plaintiffs,

v.

BAX GLOBAL, INC., AND CATHAY
PACIFIC AIRWAYS, LTD.,

Defendants.

CASE NO.: C 02-02516 JSW

**STIPULATION TO MODIFY
BRIEFING SCHEDULE AND
~~PROPOSED ORDER~~**

Plaintiffs THE NISSAN FIRE AND MARINE INSURANCE COMPANY, LTD., and
HITACHI DATA SYSTEMS CORP., (collectively ‘NISSAN’ or ‘Plaintiffs’) and Defendant
BAX GLOBAL INC. (“defendant” or “BAX”), through their respective, counsel, stipulate and

request that the briefing schedule set by the Court be modified to provide for each brief to be filed one week later than the dates currently set. The parties thus request that the dates for filing each brief be modified as follows:

First Brief: March 13, 2009
Second Brief: March 27, 2009
Third Brief: April 10, 2009
Fourth Brief: April 24, 2009

The parties make this request because of conflicts counsel have in other matters. While the parties do not request that the hearing date be changed from May 8, 2009, should the Court seek to continue the current date, the parties are available on May 15, 2009 and May 22, 2009.

IT IS SO STIPULATED.

Dated: February 20, 2009

LAW OFFICES OF GEORGE W. NOWELL

By: S/ PAUL B. ARENAS
PAUL B. ARENAS

Attorneys for Defendant
BAX GLOBAL, INC.

Dated: February 20, 2009

GIBSON ROBB & LINDH

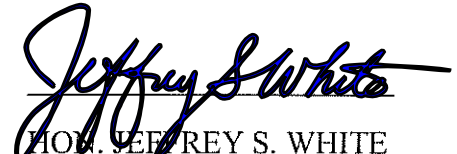
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Attorneys for Plaintiff
THE NISSAN FIRE AND MARINE INSURANCE
COMPANY, LTD., AND HITACHI DATA
SYSTEMS CORP.,

ORDER

The hearing is CONTINUED to May 15, 2009 at 9:00 a.m.
IT IS SO ORDERED.

DATED: February 24, 2009


HON. JEFFREY S. WHITE
U.S. DISTRICT COURT JUDGE

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